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IN THE SENATE OF THE UNITED STATES.

MARCH 15, 1869.

Mr. TRUMBULL, from the Committee on the Judiciary, to whom was referred the bill (S. 44) to amend the judicial system of the United States, reported it with amendment.

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**AMENDMENT**

Striking out all after the enacting clause and inserting the following:

1       That the Supreme court of the United States shall hereafter  
2 consist of the Chief Justice of the United States and eight  
3 associate justices, any six of whom shall constitute a quorum ;  
4 and for this purpose there shall be appointed an additional  
5 associate justice of said court.

1       SEC. 2. *And be it further enacted,* That for each of the  
2 nine existing judicial circuits there shall be appointed a circuit  
3 judge, who shall reside in his circuit, and shall possess the  
4 same power and jurisdiction therein as the justice of the  
5 Supreme Court allotted to the circuit. The circuit courts in  
6 each circuit shall be held by the justice of the Supreme Court  
7 allotted to the circuit, or by the circuit judge of the circuit,  
8 or by the district judge of the district sitting alone, or by  
9 the justice of the Supreme Court and circuit judge sitting

10 together, in which case the justice of the Supreme Court  
11 shall preside, or in the absence of either of them,  
12 by the other (who shall preside) and the district judge.  
13 And such courts may be held at the same time in the differ-  
14 ent districts of the same circuit ; and more than one such court,  
15 by direction of the presiding justice or judge, who shall desig-  
16 nate the business to be done in each, may be held at the  
17 same time in the same district. The circuit judges shall  
18 each receive an annual salary of five thousand dollars.

1       SEC. 3. *And be it further enacted*, That nothing in this  
2 act shall affect the powers of the justices of the Supreme  
3 Court as judges of the circuit court.

1       SEC. 4. *And be it further enacted*, That it shall be the  
2 duty of each justice of the Supreme Court to attend at least  
3 one term of the circuit court in each district of his circuit  
4 during every period of two years.

1       SEC. 5. *And be it further enacted*, That the clerks of  
2 the circuit court shall be appointed by the circuit judges  
3 respectively, and the clerks of the district courts by the  
4 district judges respectively: *Provided*, That the present  
5 clerks of said court shall continue in office till other  
6 appointments be made in their places, or they be other-  
7 wise removed.